



NPSTC

**National Public Safety
Telecommunications Council**

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MEMBER ORGANIZATIONS

American Association of State Highway and Transportation Officials
American Radio Relay League
American Red Cross
Association of Public Safety Communications Officials - International
Forestry Conservation Communications Association
International Association of Chiefs of Police
International Association of Emergency Managers
International Association of Fire Chiefs
International Association of Fish and Wildlife Agencies
International Municipal Signal Association
National Association of State Emergency Medical Services Directors
National Association of State Foresters
National Association of State Telecommunications Directors

LIAISON ORGANIZATIONS

Federal Communications
Commission
Federal Partnership for
Interoperable Communications
Telecommunications Industry Assn
U.S. Dept. of Agriculture
U.S. Dept. of Justice
NIJ Agile Program
U.S. Dept. of Homeland Security
FEMA
Safecom Program
U.S. Dept. of Interior

July 21, 2004

D'Wana R. Terry
Chief, Public Safety and Critical Infrastructure Division
Wireless Telecommunications Bureau
Federal Communications Commission
445 12 ST SW
Washington, D.C. 20554

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Federal Communications Commission
Office of the Secretary
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Re: WT Docket No. 02-378

Dear Chief Terry,

The National Public Safety Telecommunications Council (NPSTC) urges the Commission to grant approval to the Region 24 700 MHz Regional Planning Committee's Petition for Reconsideration (WT Docket No. 02-378). The Commission rules which resulted in the rejecting of the Region 24 700 MHz plan appear to be the result of strictly-interpreted regulations that have been inappropriately applied in this instance. We believe such rules may be in need of revision when they result in the rejection of a regional plan for administrative reasons which have no impact on its technical merit. NPSTC believes the rules and or procedures should be changed as necessary in order to prevent this from happening in the future, and to permit parties to make in-process administrative corrections to their radio frequency plans once submitted - barring any gross technical errors which would truly warrant rejection.

NPSTC feels that a majority of Region 24's changes are administrative in nature, and therefore urge the commission to change the status of their original plan to, "active". The Commission should accept Region 24's corrections as well as their administrative amendments. We do feel that Region 24 should file new concurrence letters from Regions 4 and Region 34, as these Regions have in fact convened. However, we also believe it would be unreasonable and lead to unnecessary delays if they were required to redistribute their revised plan to all adjacent regions and obtain new concurrences from each when coordination with six (6) of the eight (8) has already been reached.

NPSTC believes that the Commission should not hold up Region 24's plan based upon administrative changes that have no impact on regions adjacent to Region 24. We concur with Region 24 that the administrative changes should be considered as "minor in nature" and not require additional adjacent region concurrence. We believe that leaving this matter unchecked will set a dangerous precedent, that may delay access to 700 MHz spectrum as more and more plans are submitted to the Commission for review and acceptance.

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As Region 24 asserts, they are free of broadcaster incumbency, and can have immediate access to the 700 MHz band. We respectfully urge the Commission to grant approval to Region 24's plan and permit the filing of additional material they have agreed to as a reasonable solution.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marilyn Ward".

Marilyn Ward, Chair